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4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**  
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7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 TYRICKA MIDDLETON,

11 Defendant.  
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Case No. 2:11-cr-00340-PMP-CWH

**ORDER**

13 This matter is before the Court on Defendant Tyricka Middleton's Ex Parte Motion to File  
14 Pleadings Under Seal (#27), filed December 28, 2011. Generally, a document or motion is filed  
15 under seal and accompanied by a motion for leave to file the documents or motion under seal.  
16 Here, it appears that defense counsel seeks to file a motion to withdraw. The appropriate procedure  
17 is to file the motion under seal with a separate motion for leave to seal. Additionally, the Court is  
18 not persuaded that merely filing a motion to withdraw constitutes good cause for filing the motion  
19 *ex parte*. Accordingly,

20 **IT IS HEREBY ORDERED** that Defendant Tyricka Middleton's Ex Parte Motion to File  
21 Pleadings Under Seal (#27) is **denied without prejudice**.

22 DATED this 30th day of December, 2011.

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25 **C.W. Hoffman, Jr.**  
26 **United States Magistrate Judge**  
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